



COPY OF PAPERS  
ORIGINALLY FILED

DAC \$

Attorney's Docket No. 3866.P008

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of: )  
Ali Kutay, et al. ) Examiner: Not yet assigned  
Application No.: 10/082,427 ) Art Unit: 2641  
Filed: February 22, 2002 )  
For: SYSTEM AND METHOD TO FACILITATE )  
ANALYSIS AND REMOVAL OF ERRORS )  
FROM AN APPLICATION )

RECEIVED

SEP 16 2002

OFFICE OF PETITIONS

Commissioner for Patents  
Box: Missing Parts  
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION  
(FILING DATE GRANTED)

Sir:

In response to the Notice to File Missing parts of Application (Filing Date Granted) mailed March 27, 2002, please find enclosed:

- (1) Copies of the Petition Under 37 C.F.R. § 1.47 and accompanying documents as filed with the USPTO on August 27, 2002;
- (2) a duly executed Declaration and Power of Attorney with respect to the above-referenced patent application;
- (3) a check in the amount of \$130.00 in payment of the surcharge of 37 C.F.R. § 1.16(e);

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231

on August 27, 2002  
Date of Deposit  
Patricia M. Richard  
Name of Person Mailing Correspondence  
Patricia M. Richard  
Signature

August 27, 2002  
Date

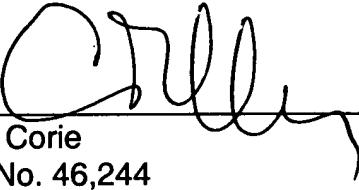
- (4) a copy of the Notice to File Missing Parts of Application;
- (5) a request for Extension of Time pursuant to 37 C.F.R. § 1.136(a);  
and
- (6) a check in the amount of \$920.00 in payment of the surcharge of  
37 C.F.R. § 1.17(a).

If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of this Response is enclosed for deposit account charging purposes.

Respectfully Submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: August 21, 2002

  
Florin Corie  
Reg. No. 46,244

12400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, CA 90025-1026  
(408) 947-8200



COPY OF PAPER  
ORIGINALLY FILED

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/082,427	02/22/2002	Ali Kutay	3866P008

CONFIRMATION NO. 3769

FORMALITIES LETTER



\*OC000000007731647\*

08791  
BLAKELY SOKOLOFF TAYLOR & ZAFMAN  
12400 WILSHIRE BOULEVARD, SEVENTH FLOOR  
LOS ANGELES, CA 90025

Date Mailed: 03/27/2002



**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

RECEIVED  
SEP 16 2002

OFFICE OF PETITIONS

*A copy of this notice **MUST** be returned with the reply.*

*C. Vosacka*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09/11/2002 AWONDAF1 00000143 10082427

01 FC:105

130.00 DP



COPY OF PAPERS  
ORIGINALLY FILED

Serial/Patent No: 10/082,427 Filing/Issue Date: 2/22/2002  
Client: AltoWeb, Inc.

Title: SYSTEM AND METHOD TO FACILITATE ANALYSIS AND REMOVAL OF ERRORS  
FROM AN APPLICATION

BSTZ File No.: 3866.P008 Atty/Secty Initials: ALM/FAC/pmar

Date Mailed: August 27, 2002 Docket Due Date: \_\_\_\_\_

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

Amendment/Response (\_\_\_\_ pgs.)  Express Mail No.: \_\_\_\_\_  Check No. 1310  
 Appeal Brief (\_\_\_\_ pgs.) (in triplicate)  \_\_\_\_\_ Month(s) Extension of Time  Amt: \$130.00  
 Application - Utility (\_\_\_\_ pgs. with cover and abstract)  Information Disclosure Statement & PTO-1449 (\_\_\_\_ pgs.)  Check No. \_\_\_\_\_  
 Application - Rule 1.53(b) Continuation (\_\_\_\_ pgs.)  Issue Fee Transmittal \_\_\_\_\_  
 Application - Rule 1.53(b) Divisional (\_\_\_\_ pgs.)  Notice of Appeal \_\_\_\_\_  
 Application - Rule 1.53(b) CIP (\_\_\_\_ pgs.)  Petition for Extension of Time \_\_\_\_\_  
 Application - Rule 1.53(d) CPA Transmittal (\_\_\_\_ pgs.)  Petition for \_\_\_\_\_  
 Application - Design (\_\_\_\_ pgs.)  Postcard \_\_\_\_\_  
 Application - PCT (\_\_\_\_ pgs.)  Power of Attorney (\_\_\_\_ pgs.)  
 Application - Provisional (\_\_\_\_ pgs.)  Preliminary Amendment (\_\_\_\_ pgs.)  
 Assignment and Cover Sheet  Reply Brief (\_\_\_\_ pgs.)  
**KK** Certificate of Mailing  Response to Notice of Missing Parts \_\_\_\_\_  
 Declaration & POA (\_\_\_\_ pgs.)  Small Entity Declaration for Filing International Business \_\_\_\_\_  
 Declaration Doc & Orig & Copy of Inventor's Signed Letter (\_\_\_\_ pgs.)  Translated Letter, in duplicate \_\_\_\_\_  
 Drawings; \_\_\_\_\_ # of sheets includes \_\_\_\_\_ figures  Fee Transmittal, in duplicate \_\_\_\_\_

**KK** other: Petition Under 37 C.F.R. 1.47(2 pgs.), Declaration of Megan  
Straifel(2 pgs.), copies of pertinent information as described in  
1.47

RECEIVED  
SEP 16 2002  
OFFICE OF PETITIONS

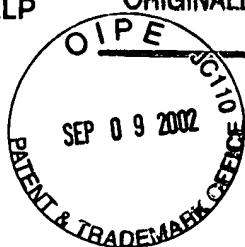
BLAKELY, SOKOLOFF, TAYLOR & AFMAN, LLP  
A PARTNERSHIP INCLUDING LAW CORPORATION  
60 SOUTH MARKET STREET, SUITE 510  
SAN JOSE, CA 95113-2392  
(408) 947-8200

COPY OF PAPERS  
ORIGINALLY FILED

WELL FARGO BANK

1310

001310



11-24  
1210(8)

August 27, 2002

PAY

ONE HUNDRED THIRTY & NO/100

DOLLARS \$

130.00

TO  
THE  
ORDER  
OF

Director of the United States  
Patent & Trademark Office  
Washington, DC 20231-0001

MP

AUTHORIZED SIGNATURE

001310 112100024804496878455

THE SECURITY FEATURES ON THIS DOCUMENT INCLUDE A MICRO-PRINT SIGNATURE LINE, BLEED THRU NUMBERING, A TRUE WATERMARK AND VISIBLE FIBERS.

DETACH AND RETAIN THIS STATEMENT  
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.  
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

Invoice: 08/27/2002 Amount: 130.00  
202366.P008 AltoWeb, Inc. FAC/pmr

U.S. Patent & Trademark Office

Title: SYSTEM AND METHOD TO FACILITATE ANALYSIS AND REMOVAL OF ERRORS FROM AN APPLICATION

Inventors: Ali Kutay, et al.

Application No.: 10/082,427

Filed: 2/21/2002

Petition Under 37 CFR 1.47

RECEIVED  
SEP 16 2002  
OFFICE OF PETITIONS

001310



## Title 37, Code of Federal Regulations, Section 1.56 Duty to Disclose Information Material to Patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information, which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) Prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.